

45-Day Comments: EM = Email; S = Speaker (Sorted by SECTION/AREA)

Comment No.	Summary of Comment	Response	Revision Needed	Section/Area
EM-3 (1)	<p>Concerned about definition of "stairway" & stairways over 30" in height; specifically regarding stairways with landings of less than 12 sq. ft. & their ability to go to the lot line while constructed of combustible material*</p> <p>*(Comment also refers to §2002)</p>	<p>AGREE. This definition is derived from definition in California Building Code. The 30-inch reference pertains to the steps, not the stairway height; the logic being that if one has 4 steps that are 30 inches for each step, a porch 10 ft. long has been created. The amendment removed the term 'riser' to eliminate confusion because one can't have 30-inch risers (step height). HCD will amend this section to add "where the run (<u>length</u>) of an individual tread <u>or</u> <u>step</u> does not exceed thirty (30) inches" to reduce confusion. [Note: Stairways 12 sq. ft. or less may be located up to the lot line regardless of height.]</p>	YES	<p>1002/Stairway & Step*</p> <p>*(Also refers to §2002)</p>
EM-4 (2)	<p>Unsure if this means stair could be any height, just not wider than 30 inches*</p> <p>*(Comment also refers to §2002)</p>	<p>AGREE. HCD will amend this section to add "where the run (<u>length</u>) of an individual tread <u>or</u> <u>step</u> does not exceed thirty (30) inches" to reduce confusion.</p>	YES	<p>1002/Stairway & Step*</p> <p>*(Also refers to §2002)</p>
EM-3 (2)	<p>Concerned no resident could do landscaping, including grading, without getting a permit unless 'minor' grading is exempted from CA Building Code. Also, confusion in the field about what grading is required prior to an MH installation.*</p> <p>*(Comment also refers to §2018)</p>	<p>AGREE. The requirement for a grading permit pertains to actual 'grading' as required by Appendix Ch. 33 of the CA Building Code. Appendix Ch. 33 dictates when a permit is and is not required. HCD will amend the proposed language to add "...or perform any <u>non-load bearing</u> grading or <u>area fill with a depth of one (1) foot or greater</u> ..." This will allow landscape & runoff grading without affecting a structure on the lot that relies on a stable footing for support.</p>	YES	<p>1018(a)/Grading*</p> <p>*(Also refers to §2018)</p>

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EM-4 (3)	Subsection (a) refers to "any" grading & there is confusion about when a permit is required.* *(Comment also refers to §2018)	AGREE. HCD will clarify the proposed language by adding "... or perform any <u>non-load bearing grading or area fill with a depth of one (1) foot or greater, ...</u> "	YES	1018/Grading Permit Requirements* *(Also refers to §2018)
	Subsection (c) may be interpreted to apply to storage sheds & permit required for removal. [COMMENT WITHDRAWN AT HEARING: SEE S – 1 BELOW]	[COMMENT WITHDRAWN AT HEARING: SEE S – 1 BELOW]	N/A	1018/Permits Required for Lot Line Changes *(Also refers to §2018)
S - 1	Speaker advised confusion w/old version of section so no longer has issues & asked that previous comment submitted in writing be withdrawn. [See EM-4 (3)]	[COMMENT WITHDRAWN AT HEARING ON 5/23/05 PER SPEAKER'S REQUEST]	N/A	1018/Permits Required for Lot Line Changes* *(Also refers to §2018)
	Speaker read her comments into record (previously submitted in writing on 5/17/05 – see EM-4).	[Same as EM-4 (1)-(7)]	(See EM-4(1)-(7))	[Same as EM-4 (1)-(7)]
EM-3 (3)	Confusion as to use of "similar pliable" and what material could be used as an awning. Also, concerns about when a permit is required and combustibility.* *(Comment also refers to §2018)	AGREE. The purpose of this amendment is to allow canvas awnings without restricting the provision to "only" canvas. Current provisions allow an awning enclosure to be constructed of flexible plastic material & the use of an awning of the same material would not produce any additional hazard. An awning constructed of combustible material, whether wood, canvas, or plastic must still maintain the required setback from lot lines required for all combustible materials. The exemption from a permit would not eliminate the setback requirements for combustible	YES	1018(d)(7)/Awnings* *(Also refers to §2018)

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EM-3 (3) (cont.)		materials. HCD will amend the proposed language by adding "canvas type" for clarity.		
EM-4 (4)	Section appears to conflict with Health & Safety Code §18611 & that statute only requires especially designated lots [for factory-built housing] in accordance with rules of the park, not the rules & regulations as required by proposed section. Wants text to mirror statute & not impose new requirements that are not in statute.	AGREE. HCD will remove the reference to a "separate designated section" to "specific lots". HCD also realized during the initial 45-day comment period that the proposed language in subsection (b) was superceded by Health & Safety Code §19993, contained in the CA Factory-Built Housing Law. That section "specifically and entirely" reserves local zoning, snow loads, wind pressure, fire zones, setbacks, yard & development requirements, property line requirements & architectural & aesthetic requirements to local jurisdictions. The proposed section has been amended to reflect that change.	YES	1019/Installation of Factory-Built Housing in Parks
EM-3 (4)	Why limit the installation of parks built on or after 1/1/82.	DISAGREE. The requirements of this section mirror the provisions contained in Health & Safety Code §18611 which allows Factory-Built Housing to be installed in parks & conditions that allowance, along with other provisions, to parks constructed after 1/1/82	NO	1019/Installation of Parks Built after 1/1/82

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EM-1 (1A & B)	<p>Insert internal cross-reference citations in §1105(a) & (b)(1)(F)*</p> <p>*(Comment also refers to §2105)</p>	DISAGREE. Text of §1105 is clear & internal cite not necessary. The suggested reference (§1104) contained in the comment precedes this section & is already referenced in (d) of this section. Also internal cites are easily overlooked during the updating process often making them ineffective.	NO	<p>1105/Cross-reference Citations*</p> <p>*(Also refers to §2105)</p>
EM-1 (1C)	<p>"Lot lines" aren't specifically mentioned in the internal cross-reference cite to §1020.7 in §1105(a)(5)*</p> <p>*(Comment also refers to §2105)</p>	DISAGREE. The change of a lot line in a park is considered construction within the park and the minimum park construction fees apply. §1020.7 refers to "construction" in mobilehome parks which includes lot lines.	NO	<p>1105/Lot Lines*</p> <p>*(Also refers to §2105)</p>
EM-2 (1A)	<p>Concerned about existing parks that do not meet these requirements.*</p> <p>*(Comment also refers to §2105)</p>	DISAGREE. These requirements apply to lot lines changed after the effective date of this regulation.	NO	<p>1105/Lot Lines*</p> <p>*(Also refers to §2105)</p>
EM-2 (1B)	<p>Concerned about parks where lot line markers do not exist or are missing.*</p> <p>*(Comment also refers to §2105)</p>	DISAGREE. This section refers to the changing of lot line locations not the actual marking requirements contained in §1104. §1104 applies to all parks as the approved method of marking lot lines & all lots have been required to be permanently marked since 1969. If the lot lines were previously marked with a different type of <u>permanent</u> marker, that marker will remain acceptable.	NO	<p>1105/Lot Line Markers*</p> <p>*(Also refers to §2105)</p>

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EM-2 (1C)	<p>Concerned about parks where management has moved lot lines at will to accommodate larger mobilehomes*</p> <p>*(Comment also refers to §2105)</p>	<p>DISAGREE. Both this section & §1018 clearly state that a permit is required to change the location of a lot line in a park. Previous law (effect. until 7/1/05) forbade the changing of lot lines without written authorization from the registered owners on the affected lots & the local planning agency. If lot lines were moved without authorization, it was performed illegally & is invalid. The provisions of this section would then apply if the lot line was to be relocated.</p>	NO	<p>1105/Lot Line Changes*</p> <p>*(Also refers to §2105)</p>
EM-2 (1D)	<p>Are new rules only for new parks or when a lot line is moved in the future*</p> <p>*(Comment also refers to §2105)</p>	<p>DISAGREE. These amendments are not retroactive so previous requirements for relocating lot lines are applicable to lot line changes prior to the effective date of this regulation.</p>	NO	<p>1105/Relocating Lot Lines*</p> <p>*(Also refers to §2105)</p>
EM-3 (5A)	<p>Critical of "proof of delivery" & terms "registered mail", "certified mail" & "first class mail"; wants "delivery" deleted & notice sent to all registered owners via personal service, registered or certified mail.*</p> <p>*(Comment also refers to §2105)</p>	<p>DISAGREE. The statute specifically requires "proof of delivery by first-class mail".</p>	NO	<p>1105(b)(E)/Proof of Delivery*</p> <p>*(Also refers to §2105)</p>

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EM-4 (5)	Proposes to delete "proof of delivery" requirement & only require notices be sent by registered or certified mail.* *(Comment also refers to §2105)	DISAGREE. The statute specifically requires "proof of delivery by first-class mail".	NO	1105(b)(E)/Proof of Delivery* *(Also refers to §2105)
EM-3 (5B)	Commenter suspects most communities in CA have no idea what conditions were imposed by local gov't when the park was constructed nor "prior" applicable local land use requirements; how can someone sign that the change is "substantially consistent" if there's no record.* *(Comment also refers to §2105)	DISAGREE. Local applicable conditions are defined in the use permit for the parcel where the park is located & that permit for the park is generally recorded with the county recorders office. It's the obligation of the park, not the enforcement agency, to comply with conditions for the land's use approval that the park received when it was constructed. The inclusion of the term "substantially consistent" was to allow for the eventuality that the park doesn't have or can't locate the actual use permit. The consistency to the use permit referred to in this section would only pertain to what effect the change in a lot line would have on the conditional use permit such as setbacks from public street frontage. These types of conditions are generally known to park operators even without a copy of the conditional use permit.	NO	1105(b)(4)(A) & (B)/Local Applicable Conditions* *(Also refers to §2105)

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EM-5 (1)	<p>Concerned that imposing 22/30' requirements on pre-1961 parks may cause confusion & exacerbate parking problems. Also changing the 29' requirement to 30' for post-1961 parks may be of concern for same reasons.*</p> <p>*(Comment also refers to §2106)</p>	<p>DISAGREE. Roadway width requirements when parking is permitted in parks constructed prior to 9/1/61 are not new & don't impose any new requirements. Requirements for a minimum 22' width when parking is permitted on one side of roadway & 30' if parking is permitted on both sides are minimum roadway widths for parks constructed before the regs. changed in 1961 when street widths were permitted to be 10' less than current requirements. Requirements were included in the current regs. to eliminate confusion regarding roadway widths for older parks that permit street parking. Because these requirements have not been located in the regs. since 9/15/61, it is erroneously assumed that the current requirements apply to those parks. Requiring the current minimum 32' (parking on one side) & 40' (parking both sides) in older parks is an undue burden. The change from 29' to 30' for minimum widths on <u>one-lane one-way</u> roadways in parks constructed after 9/15/61 is to maintain consistency within the regs. & allow adequate clearance for emergency vehicles when parking is allowed on both sides. Current minimum roadway widths are established to provide adequate passage for emergency vehicles including larger fire trucks & they are consistent with requirements in most municipalities throughout the state.</p>	NO	<p>1106/Roadway Widths*</p> <p>*(Also refers to §2106)</p>

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EM-5 (2)	Subsection unclear; suggests using clarifying language concerning excluding accessory structures under awnings.	AGREE. HCD will clarify by adding "... another accessory structure, such as a storage cabinet or porch under an awning or carport ..."	YES	1110/Accessory Structures under Awnings
EM-5 (3)	There is a subsection (a) but no subsection (b). *(Comment also refers to §2112)	DISAGREE. The numbering is necessary to distinguish requirements for pre- and post- 7/7/04 parks & to provide as much consistency as possible to the nearly identical SOP regs. Therefore, a subsection (b) is not necessary at this time.	NO	1112/Toilets & Showers* *(Also refers to §2112)
EM-3 (6)	Critical of requirement to provide a collection system with covered containers for leaves.* *(Comment also refers to §2120)	AGREE. This issue was addressed through previous legislative discussion & HCD concurs with the comment. The proposed amendments will be removed.	YES	1120/Leaves Collection* *(Also refers to §2120)
EM-4 (1)	Object to the inclusion of the words "refuse" and "or leaves" as they conflict directly with Civil Code §798.37.5, a carefully crafted solution to tree issues within mobilehome parks.* *(Comment also refers to §2120)	AGREE. This issue was addressed through previous legislative discussion & HCD concurs with the comment. The proposed amendments will be removed.	YES	1120/Leaves Collection* *(Also refers to §2120)

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EM-4 (7)	<p>Recommends amendment of §1134 to require NEC 550-22 to include a demand calculation for a/c based on 66% diversity factor as applied to an average a/c demand of 4320.</p>	<p>DISAGREE. Not proposed for changes in this regulatory procedure. However, conferences with HCD's State Housing Law program staff & discussions with the National Fire Protection Agency (NFPA), the authors of the National Electrical Code (NEC) which is the primary code for electrical installations & wiring throughout the country for over 94 years & the model code for CA Electrical Code, reveal that a/c loads are already factored into the calculations for Mobilehome Park electrical systems. HCD defers to the experience & knowledge of the authors of the NEC for electrical wiring, installations, & electrical calculations & will not propose changes to §1134.</p>	NO	1134/Electrical Requirements
EM-3 (7)	<p>Concerned about the argument someone will make that since their awning is covered, it is therefore "weatherproof". Suggests clarification of a "fully enclosed" weatherproof structure.*</p> <p>*(Comment also refers to §2185)</p>	<p>AGREE. HCD will amend the proposed language by adding the word "enclosed" to clarify that the weatherproof structure must be enclosed to prevent wind-driven rain. Electrical appliances, not designed for outdoor use, must be installed out of the weather. An open awning is not considered a weatherproof structure & the electrical appliance would have to be protected from wind-driven rain, to prevent electrical shock, necessitating an enclosed structure such as an awning enclosure, cabana or storage building. This clarifies that the requirement is to provide weather protection to limit the possibility of electrical shock for electrical appliances during all types of weather.</p>	YES	<p>1185/Fully Enclosed Weatherproof Structure*</p> <p>*(Also refers to §2185)</p>

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EM-3 (8)	Does the deletion of the reference to an RV complying with ANSI standards affect the various non-motor driven RVs in parks.* *(Comment also refers to §2112)	DISAGREE. The change in reference to the ANSI standard is due to a change in the name of the document by its publishers. It is changed here to clarify the correct reference.	NO	1212/Reference to ANSI Standard* *(Also refers to §2212)
EM-3 (9)	Questions statutory authority re an older park having to have more water pressure than a new one* *(Comment also refers to §2276)	DISAGREE. The proposed adoption reflects requirements in effect prior to 7/11/79 & after 7/7/2004 when the minimum water pressure was 20 lbs. per square inch. There is no change in the requirements. This amendment is added for clarity of the requirements in effect prior to the current regulations.	NO	1276(a)/Water Pressure Requirements* *(Also refers to §2276)
EM-2 (2)	Who decides the pressure loss (park owner, park resident or person conducting test?) Also, unclear what is meant by 25%. If GSMOL, HOA or homeowner want to check pressure, where does the test unit come from?*	DISAGREE. This subsection was added solely to define "maximum operating conditions" (see subsection (a).) This phrase had been utilized for over 25 yrs. In both T. 25 regs. & CA Uniform Plumbing Code without clarification. The requirement to open 25% of the park lot water supply outlets, required for fire suppression in §1308, is to simulate a high rate of usage throughout the park. The measuring device is to be connected at the end of the tested line. This requirement is usually performed at the request of the enforcement agency or by the park to alleviate low pressure concerns. While a resident may measure the pressure at his/her own lot, the water	NO	1276(b)/Water Pressure* *(Also refers to §2276)

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EM-2 (2) (cont.)		distribution system within a park is under the ownership & control of the park. A resident should not perform a system-wide test without the park's consent. This test requires entry on 25% of lots in the park, & the possible purchase & disposal of large amounts of water that would need to be addressed. HCD has determined this section does not require additional clarity.		
EM-4 (6)	Suggests rewording subsection (c)(2) to delete requirement that park operator obtain approval from responsible fire agency re the continued use of existing private fire hydrants.* *(Comment also refers to §2319)	DISAGREE. The removal of the requirement for the park operator to obtain approval from local fire district is inconsistent with all other provisions regarding responsibility for park owned utilities. The park owner/operator is responsible for obtaining the allowance for the continued use of an existing system from the fire agency responsible for fire suppression.	NO	1319/Private Fire Hydrant Compliance for Park Operation* *(Also refers to §2319)
EM-5 (4)	Commenter glad to see the issue of stairways & landings addressed.* *(Comment also refers to §2428)	HCD thanks the commenter.	N/A	1428/Location* *(Also refers to §2428)
EM-3 (9A)	Commenter appreciates the changes.* *(Comment also refers to §2428)	HCD thanks the commenter.	N/A	1428(d)Stairways* *(Also refers to §2428)

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EM-3 (10)	<p>Appreciates clarification but wonders if it could be expanded to apply to porches (decks) where the support post may be located up to a lot line as long as the remainder is noncombustible (e.g. Trex)*</p> <p>*(Comment also refers to §2428)</p>	<p>DISAGREE. Awnings within parks are typically constructed of noncombustible (aluminum) material & the use of a nominal 4-inch wood support post does not present a hazard that would promote the spread of fire from an adjacent lot to the unit which is an accessory. Porches are nearly always constructed of a combustible material that would provide a conduit for the spread of fire to the unit on the lot. The commenter refers to 'Trex', a brand name for composite wood-polymer decking material. Trex is only approved for use where combustible construction is permitted. If a porch is proposed to be constructed of material providing equivalent fire protection to noncombustible construction, an alternate approval may be obtained in accordance with §1016 of the regulations for the use of combustible supports.</p>	NO	<p>1428(h)/Noncombustible Awnings*</p> <p>*(Also refers to §2428)</p>
EM-3 (11)	A little confusing; suggest cross-reference the use of posts	AGREE. HCD will add a cross-reference to §1428 in §1468	YES	1468/Awning Design & Construction

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EM-3 (12)	Confused about the door opening: 22 inches if that's the full clear width or 28 inches if it's not?	DISAGREE. In accordance with National Manufactured Housing Construction & Safety Standards, contained in T. 24, CFR, Part 3280, the minimum required door width for a manufactured home is 28 inches. Since the required exitway would be impeded if a stairway was narrower than the width of the exit doorway, this section was amended to require the stairway to be at least the width of the doorway as stated in the federal regulations.	NO	1498(c)/Door Width
EM-5 (5)	Concerned about new requirement for door openings & how existing homes will be affected.	DISAGREE. The requirements are NOT retroactive to existing structures & apply only to new construction.	NO	1498/Outswinging Doors
EM-3 (13)	By this deletion, commenter wonders if someone could install a 6' fence to enclose an awning.	DISAGREE. The material used for the construction of both an awning enclosure & fencing is unrestricted. The requirements for an awning enclosure would apply. Placing a fence along the outside edge of an awning does not constitute an awning enclosure unless the fence encloses greater than the maximum open area required for enclosures. Additionally, a fence used to form part of a total awning enclosure must comply with the requirements for accessory structures (i.e. construction in compliance with the CA Building Code & minimum setback from a lot line.	NO	1514